

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

LULAC TEXAS, VOTE LATINO,
TEXAS ALLIANCE FOR RETIRED
AMERICANS, TEXAS AFT,
Plaintiffs,

1:21-CV-786-RP

v.

JOSE ESPARZA, IN HIS OFFICIAL
CAPACITY AS THE TEXAS DEPUTY
SECRETARY OF STATE; KEN
PAXTON, IN HIS OFFICIAL CAPACITY
AS THE TEXAS ATTORNEY
GENERAL; JACQUELYN CALLANEN,
IN HER OFFICIAL CAPACITY AS THE
BEXAR COUNTY ELECTIONS
ADMINISTRATOR; DANA
DEBEAUVOIR, IN HER OFFICIAL
CAPACITY AS THE TRAVIS COUNTY
CLERK; ISABEL LONGORIA, IN HER
OFFICIAL CAPACITY AS THE HARRIS
COUNTY ELECTIONS
ADMINISTRATOR; YVONNE RAMON,
IN HER OFFICIAL CAPACITY AS THE
HIDALGO COUNTY ELECTIONS
ADMINISTRATOR; MICHAEL
SCARPELLO, IN HIS OFFICIAL
CAPACITY AS THE DALLAS COUNTY
ELECTIONS ADMINISTRATOR; AND
LISA WISE, IN HER OFFICIAL
CAPACITY AS THE EL PASO COUNTY
ELECTIONS ADMINISTRATOR;
Defendants.

ORDER

At approximately 11:00 a.m., September 7, 2021, the Governor of the State of Texas signed S.B. 1. Various plaintiffs now bring challenges, asserting that the legislation violates provisions of the Voting Rights Act, 42 U.S.C. § 1983, the Americans with Disabilities Act, the Rehabilitation Act, and the First, Fourteenth, and Fifteenth Amendments to the United States Constitution. Two of the cases (1:21-cv-780-RP and 5:21-cv-844-FB) were filed on September 3, 2021, before the Governor

signed S.B.1. On September 7, 2021, 5:21-cv-848-XR was filed at 11:12 A.M. Minutes later, 1:21-cv-786-RP was filed at 11:23 A.M.

“Courts in the Fifth Circuit generally follow a ‘first-filed rule’ in deciding which Court should maintain jurisdiction over claims that arise out of the same subject matter but are pressed in different suits.” *Igloo Products Corp. v. The Mounties, Inc.*, 735 F. Supp. 214, 217 (S.D. Tex. 1990). “The concern . . . is to avoid the waste of duplication, to avoid rulings which may trench upon the authority of sister courts, and to avoid piecemeal resolution of issues that call for a uniform result.” *West Gulf Mar. Ass’n v. ILA Deep Sea Local 24*, 751 F.2d 721, 729 (5th Cir. 1985).

In addition, over the past sixty days, this Court has been assigned a number of complex matters of urgent public concern. In light of these circumstances and the Court’s resource constraints, the Court will transfer this case for resolution in conjunction with the related cases listed above. Applying the first-filed rule to the cases timely filed after the Governor signed S.B. 1, and in the interests of judicial economy and efficiency, the above case is transferred to United States District Judge Xavier Rodriguez.

Accordingly, **IT IS ORDERED** that this case is **TRANSFERRED** to the docket of United States District Judge Xavier Rodriguez for all purposes. Pursuant to the Amended Order Assigning the Business of the Court, the Clerk shall credit this case to the percentage of business of the receiving Judge.

SIGNED this September 15, 2021.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE